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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,197	12/01/2003	Xuejun Wang	324212003700	9816
20872	7590	03/23/2006		
MORRISON & FOERSTER LLP 425 MARKET STREET SAN FRANCISCO, CA 94105-2482			EXAMINER AMSBURY, WAYNE P	
			ART UNIT	PAPER NUMBER
			2161	
DATE MAILED: 03/23/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/725,197	Applicant(s) WANG ET AL.	
	Examiner Wayne Amsbury	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-59 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/28/06</u> . | 6) <input type="checkbox"/> Other: _____ |

CLAIMS 1-59 ARE PENDING

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Applicant's arguments filed 2/28/06 have been fully considered but they are not persuasive.

The basis of the Response arguments is that Zamir does not teach providing candidate search terms that comprise potential alternate search terms as the amended claims set forth. To the contrary, this is the context in which the invention of Zamir is set, as detailed in the rejections below.

3. Claims 1-59 rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Zamir et al (Zamir), US 2005/0240580, 27 October 2005.

Zamir is directed to searches that involve a user profile that determines the interest of the user [0002], [0010].

As to **claim 1**:

*A method for searching, said method comprising the steps of:
receiving a first search term; and*

providing a plurality of candidate search terms related to said first search term, wherein said candidate search terms are generated in accordance with relevancy scores, and said candidate search terms comprise potential alternative search terms.

A search term is received when a user submits a search query [FIG 1]. A plurality of search terms is associated with the query terms in a plurality of ways [FIG 2], [0011], including a term-based profile [FIG 2, 231], [0031], [0041]. Search terms are given weights that are generated in accordance with relevancy scores [0040]-[0043], [FIG 3].

In the BACKGROUND, Zamir teaches that the quality of a search query is improved and more satisfactory with respect to a specific query [0007]. This is a motivation for his improvement, and it is clear that a “specific” query is a narrower one, such as one defined by terms of more personal interest. This generally may be done by query refinement [0008].

At [0009], Zamir provides the example of searching for “blackberry”, and the improvement that may occur, for a given user preference, by including or using other terms and/or topics such as “recipe”, or other food related text. Such related terms correspond to potential alternative search terms. In the SUMMARY, Zamir teaches that a user profile comprises multiple items “that characterize a user's interests or preferences.” This clearly includes alternative search terms rather than just documents that contain them in order to characterize the preferences. So does “sampled content.”

Furthermore, as set forth in the rejections of the previous action (with respect to claim 20), Zamir applies context analysis in order to identify the most important terms in documents returned by a search [0065]-[0067].

To the extent that Zamir does not anticipate the claims as amended, **it would have been obvious** to one of ordinary skill in the art at the time of the invention to suggest the refinement of a query such as by returned results of other foods and/or recipes and/or by characterizing a user's interest or preferences by providing potential alternative candidate terms and/or by providing sampled content for this purpose because all of these are methods of personalizing placed content [0010].

As to **claim 3**, the user click stream can be used to determine relevancy [0054].

As to **claims 2 and 4-5**, it is the nature of advertisements that they are associated with sales, brands and products, and are included in placed content [0011].

As to **claims 6-7**, previous searches correspond to related searches [0032] and they are associated with links [0033].

As to **claim 8**, Zamir provides for user profiles to be aggregated [0046], and generated and/or stored on servers or at the client [0047], both of which imply that the candidates may not be generated on-line during a specific query.

As to **claims 9-10**, Zamir uses a profile table [FIG 3, 0048] that corresponds to a look-up table, and hash tables [0057].

As to **claims 11-12**, Zamir applies paragraph sampling that includes selection of the first N words of a paragraph [0061, 0062], and this corresponds to a span.

As to **claim 15**, the category map of FIG 4A corresponds to a dictionary [0045], [0052], [0053].

As to **claim 19**, Zamir aggregates and weights terms accumulated over a period of time and/or at predetermined times or elapsed times [0045], [0075].

As to **claim 20**, Zamir teaches the use of context analysis [0065], which includes the display position of candidate search terms.

The elements of **claims 21-30, 31-42, 45 and 49-50** are rejected in the analysis above and these claims are rejected on that basis.

As to **claims 13-14**, the inflection distance as defined at [0043] of the US PUB for this case, 2005/0108210, the only embodiments set forth involve a number of words or letters that are different between similar search terms. The definition is clearly intended to be broader than those embodiments, in the form of some “distance”, which reduces to a *metric on pairs*. It was common practice at the time of the invention to provide for mathematical (metric) similarity measures between search terms [Zamir 0048 and 0049], but Zamir specifies a weight rather than a distance between terms. It is necessary to use distances in some form in order to cluster terms or to determine the relationship between specific pairs of terms, both of which were well known in the art and well within the purview of one of ordinary skill. More importantly, sorting and ranking are fundamentally determined by comparisons of pairs. In Zamir, both pages and placed content items are ranked.

It would have been obvious to one of ordinary skill in the art at the time of the invention to determine inflection because it provides an efficient basis for ranking pages and placed content.

As to **claims 16-18**, Zamir does not explicitly specify the use of particular varieties of dictionary (brand, artist), or a product of a brand taken from a brand dictionary.

However, as noted above, placed content in the form of advertisements includes brands and products of such brands, and is matched to a user query [0116]. Further, the categories, including those of FIG 4A include music and lyrics, which suggests that categories such as singers, bands, and the like would be included in the refinements of these general categories. A sub-map of either lyrics or music that included them corresponds to an artist dictionary.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide for details such as specific brands and artistic elements in a dictionary or map because there are such a large number of possibilities that refinement of the search is efficient and useful.

The elements of **claims 43-44, 46-48 and 51-59** are rejected in the analysis above and these claims are rejected on that basis.

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Amsbury whose telephone number is 571-272-4015. The examiner can normally be reached on M-F 6-18:30 FIRST WEEK.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WPA


WAYNE AMSBURY
PRIMARY PATENT EXAMINER